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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 3378**

Mitsuaki OSHIMA et al. : Docket No. 2000_1420

Serial No. 09/686,467 : Group Art Unit 2634

Filed October 12, 2000 : Examiner A. Le

COMMUNICATION SYSTEM :

RESPONSE UNDER 37. CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2634

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975**

Sir:

In the outstanding Office Action, claims 38-41 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 16 of U.S. Patent No. 5,555,275. It is submitted that this rejection is overcome for the following reasons.

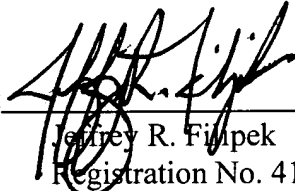
Patentee has filed a Disclaimer under 37 C.F.R. 1.321(a) in U.S. Patent 5,555,275 disclaiming claim 16 of said patent. A copy of the Disclaimer filed in U.S. Patent 5,555,275 is attached for the Examiner's consideration. Thus, it is submitted that the obviousness-type double patenting rejection over claim 16 of U.S. Patent No. 5,555,275 has been overcome.

In item 3 on page 2 of the Office Action, the Examiner indicated that claims 38-41 would be allowable if the double patenting rejection is overcome. In view of the above comments, it is submitted that the double patenting rejection has been overcome. Therefore, claims 38-41 should now be allowed.

The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

Mitsuaki OSHIMA et al.

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